CF 102 SINGLE BENCH

(H)

(2)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) NO. 218 *OF 2007*

PETITIONER: Yashwant Kumar Sahu, aged about 42 yrs son of Shri Dhaneshwar Sahu, Sarpanch, Gram Panchayat Palod, Tah. Abhanpur, Distt. Raipur (CG)

P.R. No. 9414/07 Presented by Atul K. Prasad dated 5/12/07

VERSUS

RESPONDENT (S):

1. State of Chhattisgarh, through the Secretary, Department of Revenue, D.K.S. Bhawan, Raipur (CG)
2. Board of Revenue, State of Chhattisgarh, Circuit Court, Raipur (C.G.)
3. Collector, Raipur. (C.G.)
4. The Sub Divisional Officer, Revenue, Abhanpur, Distt. Raipur (C.G.)

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WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA

(19)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (C.) NO.218 OF 2007

Petitioner : Yashwant Kumar Sahu

Versus

Respondents : State of Chhattisgarh and others

Present : Mr. Sankalp Jaiswal, counsel for the petitioner.
Mr. Suryakant Mishra, Panel Lawyer for the State/respondents No.1, 3 and 4.

ORDER

(Passed on 13th Day of February, 2007)

By way of this petition filed under Article 227 of the Constitution of India, the petitioner impugns the order dated 6-11-2006 (P-1) passed by the Board of Revenue against the order dated 7-6-2005 passed by the Additional Collector, Raipur in Case No.45/B-121/2000-01 (*Yashwant Kumar Sahu* vs. *State*).

2. The main contention of the petitioner is that the cost of Rs.1,000/-(Rupees One Thousand) per tree imposed by the Board of Revenue is excessive.

3. The facts, in nutshell, are that the petitioner Yashwant Kumar Sahu, who is Sarpanch of Gram Panchayat, Palod, without

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seeking permission of the competent authority as prescribed under the laws, has illegally cut 35 Babool Trees.

4. This is a serious offence of cutting trees without required permission under the provisions of the Land Revenue Code as well as the Forest Laws. The judgment and order passed by the Board of Revenue is just and proper and needs no interference.

5. It is submitted at the Bar that the said trees have been sold out by the Tahsildar. It is not known as to whether this money has been deposited with the Forest Department for plantation of the trees or not. The State Government is directed to enquire into the matter and take appropriate action in accordance with law to ensure plantation in place of illegally cut trees.

6. Thus, the writ petition is dismissed. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

Gopal